

## II. Remarks

Claims 1-28 and 35 of the present application are pending and rejected. By this Paper, claims 1, 11, 23, and 35 have been amended. With the amendments and remarks provided herewith, Applicant respectfully requests reconsideration and withdrawal of all rejections to the claims.

### *Rejections Under 35 U.S.C. § 102*

Responsive to the rejections of claims 1, 2, 6-12, 14-28, and 35 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application No. 2001/0049547 to Moore (*Moore*), *Moore* fails to teach each and every element of the claimed invention. For example, independent claims 1, 11, 23, and 35 have been amended to clarify that the soft pusher member is configured to conform to a distal end of the stent when the pusher member is positioned at acute bends in the body during deployment. Support for the amendments may be found on page 14, paragraph [0038], lines 5-7 of the present application. *Moore* does not teach a soft pusher member configured to “absorb preload pressure of the preloaded stent and conform to a distal end of the stent when the soft pusher member is positioned at the acute bend in the body during deployment of the preloaded stent” as recited in amended claim 1. Accordingly, *Moore* fails to teach each and every element of the claimed invention.

Claims 2, 6-10, 12, 14-22, and 24-28 depend generally from claims 1, 11, and 23. Thus, claims 2, 6-10, 12, 14-22, and 24-28 are allowable for at least the reasons provided above.

### *Rejections Under 35 U.S.C. § 103*

Responsive to the rejections of claims 1-3 and 6-28 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,702,418 to Ravenscroft (*Ravenscroft*) in view of U.S. Patent No. 6,425,898 to Wilson (*Wilson*), the combination does not teach all of the elements of the claimed invention.

The combination of *Wilson* and *Ravenscroft* does not teach all of the elements of the claimed invention. For example, amended claims 1, 11, and 23 now recite that the soft pusher member is configured to conform to a distal end of the stent

when the pusher member is positioned at acute bends in the body during deployment. By absorbing the soft preload pressure of the stent at the point of contact, the soft pusher member avoids or at least reduces undesirable partial deployment of the stent during deployment. Neither *Ravenscroft* nor *Wilson*, alone or in combination, teaches a soft pusher member which absorbs preload pressure of a preloaded stent and "conforms to a distal end of the stent" when the soft pusher member is positioned at the acute bend in the body during deployment of the preloaded stent.

Furthermore, claims 1 and 11 recite that the soft pusher member includes "a tapered proximal surface." Neither *Ravenscroft* nor *Wilson*, alone or in combination, teaches a soft pusher member having a tapered proximal surface. The Examiner acknowledges that *Ravenscroft* does not disclose a soft pusher member having a tapered proximal surface. See Office Action, page 5, paragraph 2. *Wilson* teaches a sleeve (21) which reinforces the stop (22) during deployment of the stent. See *Wilson*, FIG. 5 and col. 6, lines 11-15. While the sleeve is proximal to and smaller than the stop, the stop and sleeve are in a stepped configuration rather than forming a tapered stop. Thus, *Wilson* fails cure the deficiencies of *Ravenscroft*. Thus, *Wilson* and *Ravenscroft*, alone or in combination, do not teach each of the elements as recited in the claimed invention.

Responsive to the rejection of claim 35 under 35 U.S.C. §103(a) as being unpatentable over *Ravenscroft* in view of *Wilson* and U.S. Patent Application No. 2004/0215331 to Chew (*Chew*), the combination fails to teach each and every element of amended claim 35. For example, amended claim 35 now recites that the soft pusher member is configured to conform to a distal end of the stent when the pusher member is positioned at acute bends in the body during deployment. By absorbing the soft preload pressure of the stent at the point of contact, the soft pusher member avoids or at least reduces undesirable partial deployment of the stent during deployment. As provided above, *Ravenscroft* and *Wilson* do not teach or suggest a soft pusher member which absorbs preload pressure of a preloaded stent and "conforms to a distal end of the stent" when the soft pusher member is positioned at the acute bend in the body during deployment of the preloaded stent. Moreover, *Chew* is absent any teaching of a soft pusher member configured to conform to a distal end of the stent during deployment.

Claims 2-10, 12-22, and 24-28 depend generally from claims 1, 11, and 23. Thus, claims 2-10, 12-22, and 24-28 are allowable for the reasons provided above.

Therefore, claims 1-28 and 35 are in a condition for allowance and such action is respectfully requested.

Respectfully submitted,

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